

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Revision of the Commission's Rules to)	CC Docket No. 94-102
Ensure Compatibility with Enhanced 911)	
Emergency Calling Systems)	
)	
Phase II Compliance Deadlines for)	
Non-Nationwide CMRS Carriers)	

To: Chief, Wireless Telecommunications Bureau

**REPLY COMMENTS OF COMSCAPE TELECOMMUNICATIONS OF WILMINGTON
LICENSE, INC. TO COMMENTS OF NENA, APCO AND NASNA**

ComScape Telecommunications of Wilmington License, Inc. ("ComScape") by its attorneys, hereby replies to the "Comments of NENA, APCO and NASNA" submitted on September 11, 2002, regarding the "Report and Request for Modification of Deadlines" on implementation of Enhanced 911 Phase II automatic location identification submitted by ComScape on August 19, 2002.

In their comments, the National Emergency Number Association ("NENA"), the Association of Public-Safety Communications Officials-International, Inc. ("APCO") and the National Association of State Nine One One Administrators ("NASNA") (collectively, "Public Safety Organizations") accused ComScape of filing a "woefully tardy" request, and suggested that ComScape be referred to the Enforcement Bureau.

ComScape strongly objects to the Public Safety Organizations' characterization of its request. The Public Safety Organizations seemingly failed to consider footnote 1 at the bottom of page 1 of the request from ComScape, for the footnote stated the following:

As of this date, ComScape is providing fixed wireless data service only. However, ComScape anticipates commencement of mobile voice service within the next several weeks. This report and waiver request is being filed in anticipation of the commencement of mobile voice service.

This footnote obviously demonstrates that ComScape was filing its report and waiver request in anticipation of the commencement of mobile voice service. As of this date, ComScape has not yet commenced mobile voice service (although it expects to commence such service soon). In other words, ComScape submitted its report and request to extend the deadline more than a month in advance of its commencement of service. ComScape respectfully submits that no reasonable reading of any Commission requirement relating to E911 Phase II could describe ComScape's timing as "woefully tardy."

In view of the foregoing, ComScape respectfully requests that the Commission (1) make no referral of ComScape to the Enforcement Bureau, and (2) process and grant the August 19, 2002 request for modification of deadlines submitted by ComScape.

Respectfully submitted,

COMSCAPE TELECOMMUNICATIONS
OF WILMINGTON LICENSE, INC.

/s/

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September 23, 2002

CERTIFICATE OF SERVICE

I, Brenda G. Scott, a secretary in the law firm of Swidler Berlin Shereff Friedman, LLP, hereby certify that on this 23rd day of September, 2002, caused a true and correct copy of the foregoing “Reply Comments of ComScape Telecommunications of Wilmington License, Inc. to Comments of NENA, APCO and NASNA” to be served by first-class United States mail, postage prepaid, upon:

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